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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant: Bruce M. Frankel &  
Scott D. Koysch

Serial No.: 10/717,379

Filed: November 19, 2003

For: FENESTRATED BONE TAP AND  
METHOD

Examiner: (not assigned)

Group Art Unit: 3732

Case No.: 7177.US.01

**CERTIFICATE OF MAILING (37 CFR  
1.8 (a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450, on:

Date of Deposit: September 22, 2005

*Kathleen Boettcher* 9/22/05  
Kathleen Boettcher Date

**TRANSMITTAL LETTER**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is an Information Disclosure Statement for Bruce M. Frankel & Scott D. Koysch for INSTRUMENTATION AND PROCEDURE FOR IMPLANTING SPINAL IMPLANT DEVICES, the specification of which was filed on March 11, 2003, and received Serial No. 10/387,363.

Also enclosed are: Form PTO 1449 (in duplicate) w/four (4) references  
Return-receipt postcard

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under 37 CFR 1.17 associated with this communication for which full payment has not been tendered, to Deposit Account No. 01-0025. A duplicate copy of this sheet is enclosed.

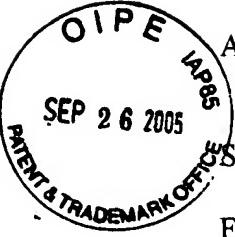
Respectfully submitted,  
Bruce M. Frankel & Scott D. Koysch

*Beth A. Vrioni*  
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Registration No. 39,869  
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ABBOTT LABORATORIES  
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PATENT

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*Kathleen Boettcher*

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*9/22/05*

Dat

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This information disclosure statement is being filed before the mailing date of a first Office Action on the merits under 37 CFR § 1.97(b).

The Applicants submit herewith Form PTO 1449 listing the references cited for this Information Disclosure Statement.

The Applicants respectfully request that the Examiner initial next to each reference listed on the enclosed Form PTO 1449 indicating that the Examiner has considered and made those references of record in this application and that a copy of the initialed Form PTO 1449 be returned to Applicants.

No charge is required for the submission of this Information Disclosure Statement under 37 C.F.R. § 1.97 (b). The Commissioner is hereby authorized to charge any additional filing fees required under 37 C.F.R. § 1.17 concerning this transmission, or to credit any overpayment to Deposit Account No. 01-0025.

Respectfully submitted,  
B. M. Frankel & S. D. Koysh

*Beth A. Vrioni*  
Beth A. Vrioni  
Registration No. 39,869  
Attorney for Applicants

ABBOTT LABORATORIES  
Customer Number: 23492  
Telephone: (847) 938-7576  
Facsimile: (847) 938-2623

## Form PTO - 1449 (Modified)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 7177.US.01	SERIAL NO. 10/717,379
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <small>(Use several sheets if necessary)</small>		<b>APPLICANT</b> <b>Bruce M. Frankel &amp; Scott D. Koysh</b>	
		FILING DATE November 19, 2003	GROUP 3732
(37 CFR 1.98 (b))			

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	PATENT NUMBER								ISSUE DATE	PATENTEE	CLASS	SUB CLASS	FILING DATE
A1	4	6	5	3	4	8	9		03/31/87	Tronzo			
A2	5	0	4	7	0	3	0		09/10/91	Draenert			
A3	5	6	0	1	5	5	9		02/11/97	Melker, et al.			
A4	5	7	2	5	5	8	1		03/10/98	Branemark			
A5	5	7	3	3	3	0	7		03/31/98	Dinsdale			
A6	6	0	4	8	3	4	3		04/11/2000	Mathis, et al.			
A7	6	2	1	0	3	7	6		04/03/2001	Grayson			
A8	6	2	1	4	0	1	2		04/10/2001	Karpman, et al.			
A9	6	5	6	5	5	7	2		05/20/2003	Chappius			

## FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB CLASS	TRANSLATION	
							YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

C1	Chappius, et al., "Fixation Strength Studies with Fenestrated Cemented Pedicle Screws in Human Cadaver", (2 pgs)
C2	Cook, et al., "Biomechanical Evaluation and Preliminary Clinical Experience with an Expansive Pedicle Screw Design", <i>Journal of Spinal Disorders</i> , 13(3):230-236
C3	Frankel, B., "Segmental polymethylmethacrylate-augmented pedicle screw fixation for reconstruction of unstable osteoporotic burst fractures", submitted to JNS: <i>Spine</i> 1/2003
C4	Introducing a New Solution to the Challenge of Securing Maximum Bone Purchase: The Innovative Omega21 Expandable Screw for Spine Fixation, <i>EBI Spine Systems</i> , 2002 (2 pgs)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.